IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5154 OF 2007

1.Abhishek Govind Laad & others. ...Petitioners

vs.

1.State of Maharashtra & others. ...Respondents.

Mr.A.M.S.Khandeparkar i/b. M/s.Khandeparkar & Associates, for petitioners.

Mr.A.A.Kumbhkoni, Associate Advocate General with R.D.Rane, G.P. for Respondent nos.1 & 2.

Mr.S.B.Shetye, for Respondent no.4.

CORAM: D.K.DESHMUKH &

V.M.KANADE, JJ.

DATED: 29th NOVEMBER,2007.

P.C.:-

1. The petitioners basically challenge the

letter of the Maharashtra University of Health Sciences addressed to the Respondent no.3 College dated 17.5.2007 thereby declining to regularise the admission of the petitioners to B.A.M.S. Course. It appears that the petitioners were admitted by the respondent no.3 College, though their names were not recommended by the respondent no.2 Director of Education as was required to be done by the Rules of admission.

2. Admittedly the petitioners have less than 50% marks in 12th standard. Therefore, according to the norms laid down by the University in the Circular dated 7.9.2006 they were not eligible for admission. It appears that the respondent no.3 unauthorisedly admitted the petitioners though they were not eligible and then approached the University for approval of their admission. The University declined because the admissions were contrary to the Rules. As the admissions of the petitioners appear to be

unauthorised and they also do not appear to have necessary qualifying marks, in our opinion, we cannot interfere with the order of the University. The petition is therefore, rejected.

(D.K.DESHMUKH, J.)

(V.M.KANADE,J.)